

MESSAGE NO: 2135302

MESSAGE DATE: 05/14/2012

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: LIQ-Liquidation PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE: OUTSCO-Out of Scope

FR CITE:

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-506

EFFECTIVE DATE: 05/20/1986

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED:

TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: ANTIDUMPING DUTY SCOPE DETERMINATION ON PORCELAIN-ON-STEEL
COOKING WARE (COOKING BASE) FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-506)

NOTICE OF THE LIFTING OF SUSPENSION OCCURRED ON THE MESSAGE DATE OF
THESE INSTRUCTIONS. SEE PARAGRAPH 5 BELOW.

1. COMMERCE RECEIVED A SCOPE RULING REQUEST FROM THE COLEMAN COMPANY, INC. ("COLEMAN"). COMMERCE ISSUED A FINAL SCOPE DETERMINATION ON 05/07/2012 THAT THE STOCKPOT COOKING BASE OF COLEMAN'S SIGNATURE SERIES ALL-IN-ONE COOKING SYSTEM AND MAX SERIES WHICH COLEMAN IMPORTS IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER ON PORCELAIN-ON-STEEL ("POS") COOKING WARE FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-506).
2. COMMERCE DETERMINED THAT COLEMAN'S COOKING BASE IS OUTSIDE THE SCOPE OF THE ORDER BECAUSE THE BOTTOM OF THE POS STOCKPOT SERVES THE SAME FUNCTION AS THE COOKING BASE. THE BOTTOM OF THE POS STOCKPOT ALSO CREATES AN EVEN SURFACE AND CAN BE PLACED ON ALTERNATIVE HEATING SURFACES AND COOK FOOD WITHOUT THE BASE PRESENT. THEREFORE, THE COOKING BASE IS NOT ESSENTIAL TO THE COOKING FUNCTION OF THE POS STOCKPOT AND THE POS STOCKPOT DOES NOT REQUIRE THE BASE FOR THE COOKWARE TO PERFORM AS INTENDED. THEREFORE, COLEMAN'S COOKING BASE IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER ON PORCELAIN-ON-STEEL COOKING WARE FROM THE PEOPLE'S REPUBLIC OF CHINA.
3. EFFECTIVE 05/20/1986, CBP SHALL TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES OF THE STOCKPOT COOKING BASE DESCRIBED ABOVE WHICH WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION.
4. REFUND ANY CASH DEPOSITS AND RELEASE ANY BONDS RELATING TO PORCELAIN-ON-STEEL STOCK POT COOKING BASE DESCRIBED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF

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LIQUIDATION OF ENTRIES OF COLEMAN'S STOCKPOT COOKING BASE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 05/20/1986.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930, AS AMENDED. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. UNLESS INSTRUCTED OTHERWISE, FOR ALL OTHER SHIPMENTS OF PORCELAIN-ON-STEEL COOKING WARE FROM THE PEOPLE'S REPUBLIC OF CHINA NOT COVERED BY PARAGRAPH 2 ABOVE, YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

8. IF THERE ARE ANY QUESTIONS BY THE IMPORTING PUBLIC REGARDING THIS MESSAGE, PLEASE CONTACT THE CALL CENTER FOR THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE AT (202) 482-0984. CBP PORTS SHOULD SUBMIT THEIR INQUIRIES THROUGH AUTHORIZED CBP CHANNELS ONLY. (THIS MESSAGE WAS GENERATED BY O9 AJM.)

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party